

State of California
AIR RESOURCES BOARD

EXECUTIVE ORDER W-10-013

Relating to ARB Approval of Third Party Certifiers under
Section 93120.4, title 17, California Code of Regulations

SP Technical Research Institute of Sweden (SP Technical)

WHEREAS, the Air Resources Board (ARB) has adopted the "Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products" (the "ATCM"; title 17, California Code of Regulations, sections 93120-93120.12), which establishes formaldehyde emission standards for composite wood products;

WHEREAS, section 93120.3(b) of the ATCM requires that manufacturers of composite wood products must verify compliance with the formaldehyde emission standards by using a third party certifier approved by ARB;

WHEREAS, the ATCM requires third party certifiers to: 1) verify the accuracy of the emission test procedures and facilities used by composite wood product manufacturers to conduct formaldehyde emission tests; 2) monitor manufacturer quality assurance programs; and 3) provide independent audits and inspections;

WHEREAS, section 93120.4 of the ATCM sets forth the process for the ARB Executive Officer to approve third party certifiers;

WHEREAS, section 93120.4(b)(1) of the ATCM requires that applications to become ARB-approved third party certifiers must be submitted to the Executive Officer in writing and must contain: 1) evidence of actual field experience in the verification of laboratories and wood products, to demonstrate how applicants will be able to competently perform the requirements for third party certifiers of composite wood products listed in section 93120.12, Appendix 3, of the ATCM; 2) evidence of the ability to properly train and supervise inspectors; 3) evidence of a current "product certification agency" accreditation; and 4) a list of the composite wood products that the applicant is applying to verify and evidence that the applicant is qualified to verify these products;

WHEREAS, SP Technical Research Institute of Sweden (SP Technical or the "applicant") submitted an original application dated July 8, 2008, and deemed complete on November 3, 2008;

WHEREAS, SP Technical was issued Executive Order W-08-013, signed on November 7, 2008;

WHEREAS, SP Technical submitted a request and supplementary documentation to ARB on April 9, 2010, for approval of VTT Expert Services, Ltd., as a subcontractor to provide accredited inspection agency services for SP Technical;

WHEREAS, SP Technical was issued Executive Order W-08-013A, signed on May 11, 2010, listing VTT Expert Services, Ltd., as a subcontractor to provide accredited inspection agency services;

WHEREAS, section 93120.4(b)(4) of the ATCM allows ARB approved third party certifiers to apply for re-approval by ARB by submitting an updated application;

WHEREAS, SP Technical submitted an updated application for re-approval to ARB on November 1, 2010, including VTT Expert Services, Ltd., as a subcontractor to provide accredited inspection agency services as listed in Attachment A;

WHEREAS, the updated application for re-approval from SP Technical was deemed complete on December 9, 2010;

WHEREAS, the Executive Officer finds that the completed updated application demonstrated the third party certifier's ability to continue to comply with section 93120.4(b)(1) of the ATCM;

WHEREAS, the Executive Officer approved SP Technical's request for re-approval, and it is appropriate that Executive Order W-08-013A be superseded by this Executive Order W-10-013;

NOW, THEREFORE, IT IS ORDERED that SP Technical is hereby reapproved as a third party certifier and shall continue to use the following number designating them as an ARB-approved third party certifier: **TPC-13**.

BE IT FURTHER ORDERED that SP Technical is an ARB-approved third party certifier for the following composite wood products: Hardwood Plywood, Particleboard, and Medium Density Fiberboard.

BE IT FURTHER ORDERED that this approval is subject to the following conditions:

1. SP Technical must provide their ARB-approved third party certifier number to each manufacturer it has subcontracted with for services, as specified in section 93120.12, Appendix 3, of the ATCM.

3. If SP Technical wishes to use another subcontracted inspection agency or laboratory other than VTT Expert Services, Ltd., SP Technical must submit a request to the Executive Officer in writing and must provide evidence to demonstrate that the subcontractor can competently perform the tasks for which it is employed. SP Technical shall not use the subcontractor unless the Executive Officer approves the request in writing.
4. SP Technical shall immediately notify the Executive Officer if any accreditation or certification provided in support of their initial application is renewed, allowed to expire, or revoked within the duration of this Executive Order.

BE IT FURTHER ORDERED that this Executive Order W-10-013 supersedes Executive Order W-08-013A, which was issued on May 11, 2010;

BE IT FURTHER ORDERED that this Executive Order shall have a duration of two years from the date that it is executed; within 120 days of the expiration of this Executive Order, the third party certifier may apply for re-approval by submitting an updated application to the Executive Officer as provided in section 93120.4 of the ATCM.

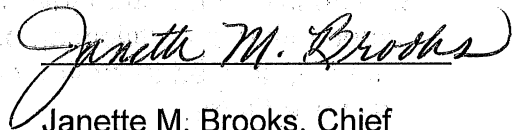
BE IT FURTHER ORDERED that the Executive Officer may review and, for good cause, modify or revoke this Executive Order as provided in section 93120.4(d) of the ATCM. The Executive Officer shall not modify or revoke this Executive Order without affording the third party certifier the opportunity for a hearing in accordance with the procedures specified in title 17, California Code of Regulations, section 60055.1 et seq.

BE IT FURTHER ORDERED that the third party certifier must maintain records in electronic or hard copy form for two years, for review by ARB upon request, as specified in section 93120.12, Appendix 3, of the ATCM.

BE IT FURTHER ORDERED that on or before March 1 of each year, the third party certifier must provide an annual report to ARB for the previous calendar year, as specified in section 93120.12, Appendix 3, of the ATCM.

BE IT FURTHER ORDERED that the third party certifier must notify the Executive Officer in writing within 30 days of any change in their ability to carry out the responsibilities of this Executive Order.

Executed at Sacramento, California this 22nd day of December 2010.



Janette M. Brooks, Chief
Air Quality Measures Branch
Stationary Source Division

Attachment A

List of Subcontractors for SP Technical Institute of Sweden (TPC-13)
Under Executive Order W-10-013

Company Name	Company Contact Information	Subcontractor Function
VTT Expert Services, Ltd.	<u>Contact:</u> Liisa Rautiainen Kemistintie 3 Espoo, F1-02044 VTT Finland Phone: +358 20 722-4920 Fax: +358 20 722-7001	Accredited Inspection Agency